

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

GARY RHINES, :
Petitioner : CIVIL ACTION NO. 3:17-1623
v. : (JUDGE MANNION)
Warden FCI-ALLENWOOD, :
Respondent :

ORDER

For the reasons set forth in the Memorandum of this date, **IT IS**
HEREBY ORDERED THAT:

1. The above captioned petition for writ of habeas corpus is **DISMISSED** as untimely under the statute of limitations, see 28 U.S.C. §2244(d), and for failure to raise a cognizable federal claim.
2. The Clerk of Court is directed to **CLOSE** this case.
3. Petitioner's motion for discovery (Doc. 11) and motion for judgment on the pleadings (Doc. 15) are **DISMISSED** as moot.
4. There is no basis for the issuance of a Certificate of Appealability. See 28 U.S.C. §2253(c).

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Dated: March 5, 2019

O:\Mannion\shared\MEMORANDA - DJ\CIVIL MEMORANDA\2017 MEMORANDA\17-1623-01-ORDER.wpd